GOVERNMENT OF ANDHRAPRADESH

ABSTRACT

Public Servants – Prohibition & Excise Department – Allegation of Criminal Misconduct against Sri T.V.R.Murthy, P&E Inspector, for his involvement in the liquor syndicate case along with other P&E officials pertaining to Visakhapatnam District – Case entrusted to Tribunal for Disciplinary Proceedings – W.P.No. 17837 of 2021 filed by Sri T.V.R.Murthy, P&E Inspector challenging the charge memo issued by the TDP in TEC No.368 - TDP repealed, Case entrusted to CoI - Hon'ble High Court orders dated. 28.04.2023 in W.P.No. 17837 of 2021 Implemented – Further action dropped against Sri T.V.R.Murthy, Retd. AP&ES - Orders - Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 58 Dated: 29-01-2025

Read the following:

1. From the D.G., ACB, Lr.Rc.No.69/RCO-WSP/2012 dated: 12.11.2012 (Cr.No.5/RCO-ACB-VSP/2012)
2. Govt. Memo.No.51872/Vig.V(2)/2012-1, dated:16.01.2013.
3. Tribunal for Disciplinary Proceedings Charge Memo in TEC No.368 2013, dtd.30.08.2018.
4. Hon'ble High Court orders dated 28.04.2023 in 17837 of 2021 filed by Sri T.V.R.Murthy, P&E Inspector.
5. Act 29 of 2022 to repeal the Andhra Pradesh Civil Services (Disciplinary Proceeding Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in A.P.Gazettee, Part-IV-B Extraordinary No.29, Amaravati, dt.22.12.2022.
6. G.O.Ms.No.98 GA (Ser.E) Dept, dtd 18.08.2023.
7. G.O.Rt.No.378, Rev (Vig.IV) Dept, dtd 18.04.2023.
8. G.O.Rt.No.1109, GA (SC.F) Dept, dtd 24.06.2024.
9. Contempt Case No.4219/2024 in WP No.17837 of 2021 filed by Sri T.V.R.Murthy, Retd P&E AP&ES.

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ORDER:

In the reference 1st read above, the Director General, Anti- Corruption Bureau has furnished report on certain allegations against Prohibition & Excise Officials involved in the liquor syndicate case pertaining to Visakhapatnam district including Sri T.V.R.Murthy, P&E Inspector. While he was working as Excise Inspector, involved in the liquor syndicate case as A.O-23 along with other Prohibition & Excise officials in Crime No. Cr.No.5/RCO-VSP/2012. The Director General, Anti-Corruption Bureau recommended for placing on his defence before Tribunal for Disciplinary Proceedings(TDP)along with other P&E officials.

2. In the reference 2nd read above, Government was placed Sri T.V.R.Murthy, P&E Inspector on his defence before TDP among others. The TDP issued Charges against Sri T.V.R.Murthy, P&E Inspector vide reference 3rd read above.

3. Whereas Sri T.V.R.Murthy, P&E Inspector was filed W.P.No.17837 of 2021 before the Hon'ble High Court challenging charge memo and prayed for the action of respondents not concluding the disciplinary proceedings initiated vide TEC No 368 of 2013, Dt 30.08 2018.

4. And whereas, the Government repealed the TDP and the cases pending before the Tribunal were transferred to the Commissioner of Inquiries (COI) vide reference 5th & 6th read above. These consequences have been placed before the Hon'ble High Court by filing counter affidavit.

5. In the reference 4th read above, the Hon'ble High Court, in its orders dated 28.04.2023 in W.P.No.17837 of 2021 disposed the case with the following orders (operative portion):

> "Considering the aforesaid including the admitted facts related to delay in concluding the disciplinary proceedings against the petitioner and the settled legal preposition related to quashing of disciplinary proceedings/charge-sheet, this court is not inclined to interfere at this stage. However, considering the facts of the case, the disciplinary authority is directed to complete the disciplinary proceedings, as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order or else it is needless to say that the charge framed against the petitioner/employee stands quashed automatically without reference to any further order of this Hon'ble Court".

6. In the reference 7th read above, Sri J.Satyanarayana, IPS (Retd.), Member, COI appointed as Inquiring Authority of Sri T.V.R.Murthy, P&E Inspector along with other P&E officials for conducting inquiry with direction to submit the inquiry report to the Government within (4) months. Presenting Officer was appointed. Further, as the tenure of Sri J.Satyanarayana, IPS (Retd) was completed by 15.05.2024, General Administration(CoI-R) Department have entrusted the case to Sri G.Mallikarjuna, IRS (Retd), Member, COI. However, Sri G.Mallikarjuna, IRS (Retd), has tendered his resignation. The General Administration (SC.F) Department have accepted his resignation vide reference 8th read above.

7. Whereas, Sri T.V.R.Murthy, P&E Inspector, has filed Contempt Case No. 4219 of 2024 praying that the Hon'ble High Court may be pleased to summon the respondents for committing contempt of orders of the Hon'ble High Court passed in W.P. No. 17837 of 2021, dated 28.04.2023 passed by the Hon'ble high Court under section 10 to 12 of Contempt of Courts Act

and pass such other order or orders as Hon’ble Court may deem fit and proper in the circumstances of the case.

8. Government, after careful examination of the entire matter has observed that as per the Hon’ble High Court orders, the inquiry was to be completed within three months, failing which the Charge Memo issued in TEC No.368 shall stand quashed. Since the inquiry is not completed within the prescribed time frame, the charge memo has been automatically quashed as per the Hon'ble High Court's orders. Accordingly, in accordance with the orders of the Hon'ble High Court, Government here by order to implement the orders dated 28.04.2023 of Hon'ble High Court passed in W.P.No.17838 of 2021 and drop further action against Sri T.V.R.Murthy, P&E Inspector (Retired as AP&ES) in departmental case (TEC No.368/2013, dt.30.08.2018).

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri T.V.R.Murthy, P&E Inspector (Retired as AP&ES) through Commissioner, Prohibition and Excise, Andhra Pradesh, Mangalagiri, Guntur District.
The General Administration(COI-R) Department, Building No.5, A.P. Secretariat, Velagapudi.
The Commissioner of Prohibition and Excise, Mangalagiri, Guntur district.
Copy to:
The Director General, Anti-Corruption Bureau, A.P, Vijayawada.
The Secretary to Vigilance Commissioner, A.P.Vigilance Commission, Andhra Pradesh Secretariat, Velagapudi.
The Government Pleader for Services, A.P.High Court, Amaravathi.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER